

PROCEEDINGS/MINUTES OF CITY COUNCIL

...October 7, 2015...

Council convened at 2:03 p.m., Mayor John Cranley Presiding. Present were Councilmembers Flynn, Mann, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn (In @ 2:05 p.m.) and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

Councilmember Murray was excused.

MAYOR CRANLEY

Item #: 201501318

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Jim Tomaszewski to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501319

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Ron Schultz to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501320

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Yvonne Gutapful to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501321

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Beth Sheehan to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501322

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Karl Maritato to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501323

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Ann Hill to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501324

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, hereby recommend the appointment of Lauren DeGoricia to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501325

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Harold Dates to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501326

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Jim McNulty to the City of Cincinnati Animal Task Force.

*** Held

Status/Recommendations:

CONFIRM

*** HELD

Item #: 201501359

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Zachary Neds to the Lunken Airport Advisory Board.

*** Held one week

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

*** HELD ONE WEEK

MR. MANN

Item #: 201501346

COMMUNICATION, dated 9/30/2015 submitted by Vice Mayor Mann, from Peter A. Saba, Esq., Stagnaro, Saba & Patterson Co., L.P.A. enclosing copies of 80 letters received from the Hyde Park neighbors supporting zone change at 3443 Zumstein.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201501347

COMMUNICATION, dated 9/21/2015 submitted by Vice Mayor Mann, from Peter A. Saba, Esq. Stagnaro, Saba & Patterson Co., L.P.A., regarding 3442 Zumstein Zoning Change.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

MR. SEELBACH

Item #: 201501348

COMMUNICATION, dated 10/5/2015 submitted by Councilmember Seelbach, from Tom West, President Local 1543 AFSCME, regarding re-introducing the retirement loan program.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

CITY MANAGER

Item #: 201501317

ORDINANCE submitted by Harry Black, City Manager, on 10/7/2015, authorizing the City Manager to execute a Property Sale Agreement with BLOC Ministries, an Ohio nonprofit corporation, for the sale, for \$1.00, of City-owned property located at 624 Burns Street in the Lower Price Hill neighborhood of Cincinnati, for redevelopment as a business incubator.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501329

ORDINANCE submitted by Harry Black, City Manager, on 10/7/2015, approving and authorizing the execution of a Job Creation Tax Credit Agreement with Emersion Design, LLC pursuant to which the company agrees to bring a minimum of 30 jobs to the property located at 310 Culvert Street in the Central Business District of Cincinnati within three years, and the City agrees to provide the company with a City income tax credit equal to 25% of City income tax revenue generated from such jobs over a period of six years.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501331

ORDINANCE submitted by Harry Black, City Manager, on 10/7/2015, authorizing the establishment of new capital improvement program project account no. 980x202x162016, "Yeatman's Cove Walkway Improvements," and further authorizing the transfer and appropriation of \$850,000.00 from the unappropriated surplus of Sawyer Point Fund 318 to the newly created capital improvement program project account no. 980x202x162016, "Yeatman's Cove Walkway Improvements," for the purpose of addressing several of the Park Board's capital improvement needs at the Waterfront.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501332

ORDINANCE submitted by Harry Black, City Manager, on 10/7/2015, authorizing the transfer and appropriation of the sum of \$165,000 from the unappropriated surplus of Recreation Special Activities Fund 323 to personnel account no. 323x199x7100 in the amount of \$140,000 and to non-personnel account no. 323x199x7200 in the amount of \$25,000 within the Recreation Department for the purpose of providing resources to continue the Expanded Youth Recreation Programs at various Cincinnati Recreation Commission recreation centers.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501333

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 10/7/2015, authorizing the City Manager to accept and appropriate a monetary donation from the Department of Homeland Security, United States Secret Service, in a maximum amount of \$3,000.00 for the purpose of providing funding for the purchase of audio and visual law enforcement equipment for evidence collection for the Cincinnati Police Department.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501334

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 10/7/2015, authorizing the payment of \$45,476.81 as a moral obligation to Mason Tillman and Associates for services rendered to the City of Cincinnati related to production of a disparity study.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501358

ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager on 10/7/2015, AUTHORIZING the transfer of the sum of \$3,700,000 from the unappropriated surplus of the General Fund 050 to the unappropriated surplus of Working Capital Reserve Fund 754 for the purpose of increasing the Working Capital Reserve by one percent (1%) of FY 2015 General Fund Revenues; and AUTHORIZING the transfer of the sum of \$27,000 from the unappropriated surplus of the General Fund 050 to the balance sheet reserve account no. 050x2535, "Emergency Reserve," for the purpose of increasing the Emergency Reserve to Two Thirds Percent (.66%) of FY 2015 General Fund Revenues; and AUTHORIZING the transfer of the sum of \$4,600,000 from the unappropriated surplus of the General Fund 050 to the balance sheet reserve account no. 050x2580, "Reserve for Weather Events, Other Emergency and One-Time Needs," for the purpose of providing resources in the event the City experiences unusual weather, an unanticipated emergency, or any other one-time event; and AUTHORIZING the transfer and appropriation of the sum of \$2,000,000 from the unappropriated surplus of the General Fund to the existing capital improvement program project account no. 980x222x162202, "Police Mobile Digital Video Storage and Police Body Cameras" and AUTHORIZING the establishment of new capital improvement program project account no. 980x232x162366, "Main Street Improvements"; and AUTHORIZING the transfer and appropriation of the sum of \$125,000 from the unappropriated surplus of the General Fund to a newly created capital improvement program project account no. 980x232x162366, "Main Street Improvements"; and further AUTHORIZING the transfer and appropriation of the sum of \$1,875,000 from the unappropriated surplus of the General Fund to the General Fund Operating Accounts according to the Schedule of Transfer attached hereto for the purpose of meeting Administration's Strategic Priorities.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201501310

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for River Grill Before the Big Chill.

Status/Recommendations:

FILE

*** FILED

Item #: 201501311

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Making Strides Against Breast Cancer Walk.

Status/Recommendations:

FILE

*** FILED

Item #: 201501312

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Light The Night Walk.

Status/Recommendations:

FILE

*** FILED

Item #: 201501316

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for La Tradicion Inc. DBA Mundo Mamba, 3427 Erie Avenue. (#5045562, New, D3) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201501328

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, regarding costs associated with building a new District Five Police Station. (SEE DOCUMENT #201501139 FOR ADOPTED MOTION)

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201501330

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, regarding rezoning of 3443-3445 Montgomery Road. (SEE DOCUMENT #201501255 FOR COMMUNICATION)

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201501337

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Jordan Market Inc. DBA New York Food Mart, 1214 Main Street. (#43798050016, Transfer of Location, C1, C2) [Objections: Over-the-Rhine Community Council]

Status/Recommendations:

FILE

*** FILED

Item #: 201501338

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for AL Taglio LLC DBA Taglio, 3527 Columbia Parkway. (#0143370, New, D5J) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201501339

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for JJA 5th & Race LLC DBA (Not Listed), 150 West Fifth Street. (#4290859, New, D5J) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201501340

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for HC Cincinnati LLC DBA Garfield Place Suites, 2 Garfield Place Entire Building and Patio. (#3698970, Transfer of Ownership, D1, D2, D3, D6) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201501341

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Prime 47 Cincinnati LLC DBA (Not Listed), 580 Walnut Street. (#7085753, Transfer Exempt, D5, D6) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201501342

REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for ADR Petroleum Inc. DBA Ameri Mart, 50 West Mitchell Avenue. (#00721150005, New, C1, C2) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201501357
REPORT, dated 10/7/2015, submitted by Harry Black, City Manager, regarding
Department of Finance Reports for the Fiscal Year Ended June 30, 2015
(unaudited)

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

BUDGET AND FINANCE COMMITTEE

Item #: 201501268
ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/16/2015,
authorizing the City Manager to accept and appropriate a monetary donation from
Boys Hope Girls Hope of Greater Cincinnati in a maximum amount of \$10,800.00
for the purpose of providing funding for the H3 Cincy program this fall.

*** Held on calendar.

Status/Recommendations:

PASS EMERGENCY

*** HELD ON CALENDAR

NEIGHBORHOODS COMMITTEE

Item #: 201501157
ORDINANCE submitted by Harry Black, City Manager, on 9/2/2015, amending the
official zoning map of the City of Cincinnati to rezone certain real property
located at 830 Ezzard Charles Drive in the West End neighborhood of Cincinnati
from the RM-1.2, "Residential Multi-family," zoning district to Planned
Development District No. 74, "Center for Addiction Treatment."

Status/Recommendations:

PASS

*** PASSED 0315-2015

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY A

MR. SEELBACH Y

MS. SIMPSON Y

Item #: 201501186
ORDINANCE submitted by Harry Black, City Manager, on 9/2/2015, amending the
official zoning map of the City of Cincinnati to rezone the real property
located at 1780-1816 Section Road in the Roselawn neighborhood from the RM-2.0,
"Residential Multi-family," zoning district to the OL, "Office Limited," zoning
district.

Status/Recommendations:

PASS

*** PASSED 0316-2015

MR. SITTENFELD Y

MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201501204

ORDINANCE submitted by Harry Black, City Manager, on 9/2/2015, amending the official zoning map of the City of Cincinnati to rezone certain portions of the real property located at 3033 Robertson Avenue in the Oakley neighborhood from the RMX, "Residential Mixed Use," zoning district to the CN-P, "Commercial Neighborhood Pedestrian," zoning district.

Status/Recommendations:

PASS

*** PASSED 0317-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201501245

ORDINANCE submitted by Harry Black, City Manager, on 9/10/2015, amending the official zoning map of the City of Cincinnati to rezone the real property located at 3135-3335 Menlo Avenue and 2499 Observatory Avenue in the Hyde Park neighborhood from the SF-6, "Single-Family," zoning district to the SF-10, "Single-Family," zoning district.

Status/Recommendations:

PASS

*** PASSED 0318-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	A
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201501252

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/10/2015, designating the former King Records Complex located at 1532-1540 Brewster Avenue commonly known as "1540 Brewster Avenue," in the Evanston neighborhood as the King Records historic landmark.

Status/Recommendations:

PASS EMERGENCY
*** PASSED EMERGENCY 0319-2015
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY A
MR. SEELBACH Y
MS. SIMPSON Y

Item #: 201501336

ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Solicitor, on 10/5/2015, AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 5365 Medpace Way in the Madisonville neighborhood of Cincinnati from the CG-A, "Commercial General Auto", the MG, "Manufacturing General," and RMX, "Residential Mixed," zoning districts to Planned Development District No. 73, The Madison Center. ("B" Version - adds emergency clause)

Status/Recommendations:

PASS EMERGENCY
*** PASSED EMERGENCY 0320-2015
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY A
MR. SEELBACH Y
MS. SIMPSON Y

Item #: 201501183

REPORT, dated 9/2/2015, submitted by Harry Black, City Manager, regarding Snow Removal. (SEE DOCUMENT #201401090 FOR MOTION)

Status/Recommendations:

APPROVE & FILE
*** APPROVED & FILED

Item #: 201501297

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, regarding zoning of property located at 3730 Isabella. (SEE DOCUMENT #201501193 FOR COMMUNICATION)

Status/Recommendations:

APPROVE & FILE
*** APPROVED & FILED

Item #: 201501304

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, regarding street rehabilitation of Bahama and Hawaiian Terrace. (SEE DOCUMENT #201500503 FOR MOTION)

Status/Recommendations:

APPROVE & FILE

*** APPROVED & FILED